

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In Re Enron Corporation	\$	
Securities, Derivative &	\$	MDL-1446
"ERISA" Litigation	\$	
	\$	
MARK NEWBY, ET AL.,	\$	
	\$	
Plaintiffs	\$	
	\$	
VS.	\$	CIVIL ACTION NO. H-01-3624
	\$	CONSOLIDATED CASES
ENRON CORPORATION, ET AL.,	\$	
	\$	
Defendants	\$	

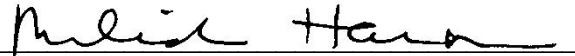
**NOTICE**

Recently the Court and the Clerk's Office have encountered problems where Local Rules, available on the Court's website, have not been followed in this litigation.

A number of motions have been submitted with the designation "unopposed motion" in their title and with statements in the body of the motion to the effect that the movant has posted a notice of intent to file this motion on the Newby website two days previously and has not received any objections. Under Local Rules, unless the Movant can state in the motion that he has conferred with all relevant parties and there is no opposition, the requirements for a certificate of conference have not been met and the motion should **not** be styled "unopposed." In some cases the Court has granted such motions, only to receive opposition a few days later, within the twenty-day period before the normal submission date.

In addition, under Local Rules 7.1(C) and 7.4(D), a proposed order must be filed with all opposed motions and responses.

**SIGNED** at Houston, Texas, this 23<sup>rd</sup> day of June, 2005.

A handwritten signature in black ink, appearing to read "Melinda Harmon", is written over a horizontal line.

MELINDA HARMON  
UNITED STATES DISTRICT JUDGE